CWP No.639 of 2003

11.6.2007 Present : Mr.G.S.Thakur, counsel for the petitioner.
Mr.M.S.Chandel, A.G. with Mr.R.M.Bisht, Dy.A.G.
for respondent-1.
Mr.Subhash Sharma, vice counsel for R-2.

In para 11 of the petition, the petitioner has stated that he has filed a civil suit for quashing the orders dated 10.4.2001 passed by the Assistant Registrar Co-operative Society, Mandi and that the said suit is pending before the Court of Sub Judge, Mandi. It has been further mentioned that this suit will be withdrawn.

In view of the averments made in para 11 of the petition, we on 23rd April, 2007 had directed Sh.G.S.Thakur, learned counsel for the petitioner to obtain instructions from the petitioner whether the suit has been withdrawn or not. Today he has informed us that the suit has not been withdrawn but has been heard finally and judgment has been reserved. Keeping in view the aforesaid facts which have come to light we are of the considered opinion that the writ petition does not lie in view of the fact that the civil suit has been filed. The writ petition is dismissed with no order as to costs.

(Deepak Gupta),
A.C.J.

June 11, 2007 **(V.K. Ahuja)**
PV **Judge.**